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Application Number 10/629,172

Responsive to Office Action mailed November 29, 2006

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REMARKS

Applicant submits this Amendment with a Request for ~~Continued Examination~~.

Applicant has amended claims 26, 27, 30, 32, 36, 38, 39, 42, and 44, canceled claims 34, 35, 46, and 47, and added new claims 50–58. Claims 26–33, 36–45, and 48–58 are pending.

Claim Rejection Under 35 U.S.C. § 103

In the Final Office Action, the Examiner rejected claims 26–32, 35–44 and 46–49 under 35 U.S.C. 103(a) as being unpatentable over Goldman (4,811,408). The Examiner also rejected claims 33 and 45 under 35 U.S.C. 103(a) as being unpatentable over Goldman as applied to claims 26 and 38 above, and further in view of Hu et al. (US 3,478,658). Applicant respectfully traverses the rejection to the extent such rejections may be considered applicable to the claims as amended. The applied references fail to disclose or suggest the inventions defined by Applicant's claims, and provide no teaching that would have suggested the desirability of modification to arrive at the claimed invention.

With respect to independent claims 26 and 38, Goldman fails to teach or suggest providing a document having an at least partially light-transmissive first layer and a second layer located below the first layer, the second layer including at least one image, recovering the image with a video image receiver to provide a source image, and determining a type of the document based on the source image. Goldman also fails to teach or suggest illuminating the at least partially light-transmissive first layer with the light source based on the determined type of the document, and recovering a second image from the at least partially light-transmissive first layer, as further required by independent claim 26, as amended. Goldman similarly fails to teach or suggest identifying an expected type of the at least partially light-transmissive first layer based on the determined type of the document, illuminating the at least partially light-transmissive first layer with the light source, and determining whether an actual type of the at least partially light-transmissive first layer is the same as the expected type, as further required by independent claim 38, as amended.

Goldman is directed to a card having a picture image and an "escort memory" magnetic strip 14 containing reference data that represents the picture image. A card production system scans and digitizes an image already on the card, and representative digital signals that represent

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that image are recorded on magnetic strip 14 of the card. In operation, a terminal determines the degree to which the image on the card C matches the machine-readable picture reference data recorded on the card, to determine whether the picture image of the card has been tampered with.¹ Goldman fails to teach or suggest performing actions relating to an at least partially light-transmissive first layer based on information obtained from an image within a second layer located below the first layer.

For example, Goldman provides no teaching or suggestion pertinent to determining a type of document based on a source image obtained from a second layer. As another example, Goldman provides no teaching or suggestion relevant to illuminating an at least partially light-transmissive first layer based on the determined type of document, and recovering a second image from the at least partially light-transmissive layer, as required by independent claim 26. Nor does Goldman provide any teaching or suggestion pertinent to identifying an expected type of the at least partially light-transmissive first layer based on the determined type of the document, or determining whether an actual type of the at least partially light-transmissive first layer is the same as the expected type, as required by independent claim 38.

For at least these reasons, the Examiner has failed to establish a *prima facie* case for non-patentability of Applicant's claims 26-33, 36-45, and 48-58 under 35 U.S.C. 103(a). Withdrawal of this rejection is requested.

New Claims:

Applicant has added claims 50-58 to the pending application. The applied references fail to disclose or suggest the inventions defined by Applicant's new claims, and provide no teaching that would have suggested the desirability of modification to arrive at the claimed inventions. As one example, the references fail to disclose or suggest illuminating the at least partially light-transmissive first layer with the light source to identify a type of the at least partially light-transmissive first layer, as recited by claim 50. As another example, the references fail to disclose or suggest comparing the second image to a stored reference image, as recited by claim 55. As another example, the references fail to disclose or suggest decoding the source image into a computer-compatible code representative of the type of the document, as required by claim 56.

¹ Goldman, col. 2, ll. 60-63.

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Claims 50-58 find support throughout the specification; for example, at page 7, line 24-page 10, line 19. No new matter has been added by the new claims.

CONCLUSION

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

January 29, 2007

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